

The Honorable Marsha J. Pechman

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

JULIE DALESSIO, an individual,

Plaintiff,

v.

UNIVERSITY OF WASHINGTON,

Defendant.

No. 2:17-cv-00642-MJP

[PROPOSED] ORDER GRANTING IN
PART AND DENYING IN PART
PLAINTIFF'S MOTION FOR LEAVE
TO FILE AMENDED COMPLAINT

This matter having come before the Court on Plaintiff's Motion for Leave to File Amended Complaint and Supporting Memorandum [Dkt. #74, 74-1], and the Court having considered the Motion and argument, and the following pleadings:

1. Defendant's Opposition to Plaintiff's Motion for Leave to File Amended Complaint;
2. Declaration of Jayne L. Freeman in Support of Defendant's Opposition to Plaintiff's Motion for Leave to File Amended Complaint and exhibits thereto;
3. _____;
4. _____;
5. Pleadings already in the court file in this matter;

And this Court finding itself fully informed, Court hereby **DENIES** Plaintiff leave to Amend Plaintiff's Complaint to the extent she seeks to add:

- ☐ claims against individual defendants Swenson, Palmer, Tapper, and Saunders;

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- ☐ claims against proposed new Defendants John and/or Jane Does 1-12;
- ☐ claims against proposed new Defendants Freeman, Chen, or Walker;
- ☐ 42 U.S.C. §1983 claims against any party based on alleged violations of the Fourth Amendment to the United States Constitution;
- ☐ 42 U.S.C. §1983 claims against any party based on alleged violations of the Fifth and Fourteenth Amendments to the U.S. Constitution;

Further, this court hereby **GRANTS** Plaintiff's Motion for Leave to Amend Plaintiff's Complaint to the extent Plaintiff proposes to:

- ☐ Voluntarily dismiss state law claims based on the Public Disclosure Act (RCW Ch. 42.56), defamation/libel, RCW Ch. 40.14 privacy claims;
- ☐ Voluntarily dismiss discrimination, retaliation and/or civil rights claims related to her prior employment or separation from employment with the University;
- ☐ Voluntarily dismisses claims based on FERPA, FOIA, or HIPPA;
- ☐ Maintains a breach of contract claim against Defendant University of Washington; the court will rule on the University's pending Motion for Summary Judgment [Dkt. #27] regarding this claim.

DONE THIS ____ DAY OF _____, 2018.

The Honorable Marsha J. Pechman

1 Presented by:

2 KEATING BUCKLIN & MCCORMACK, INC., P.S.

3
4 By: /s/ Jayne L. Freeman

Jayne L. Freeman, WSBA #24318

5 Special Assistant Attorney General for Defendant

6 University of Washington